

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

Ramon Aragon, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the plaintiff, State of New Mexico, *ex rel.* State Engineer, by and through his attorneys, and moves the Court to set aside the clerk's entry of default for the following defendants:

Ralph Gallegos, Jr. CHCJ-003-0061, CHCJ-003-0067

Ralph Gallegos, Sr. CHCJ-003-0049

Ralph Baca CHCJ-003-0068

Gonzalo Gonzales CHCJ-003-0081, CHCJ-004-0055

Orlando Martinez CHCJ-004-0033

Chris Montano CHCJ-002-0028

Aquilino Baca CHCJ-002-0039

Bertha Baca CHCJ-002-0041

Dolores Baca CHCJ-004-0047

Pat Blea CHCJ-003-0005

Angel B. Collado CHCJ-003-0067

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Esther J. Collado	CHCJ-003-0067
Donald Martinez	CHCJ-001-0002, CHCJ-003-0070
Perfecto Martinez	CHCJ-001-0002, CHCJ-003-0070
Carlos A. Garcia	CHCJ-003-0025
Lorenzo Martinez	CHCJ-003-0053

As grounds for therefore, plaintiff states:

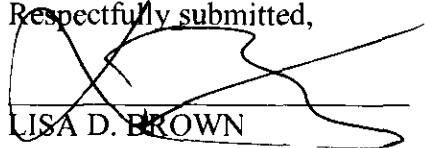
1. The Clerk's Certificate of Default (Docket No. 6489) was entered January 16, 2002, with respect to the following defendants: Ralph Gallegos, Jr., Ralph Gallegos, Sr., Ralph Baca, Gonzalo Gonzales, Orlando Martinez, Chris Montano. Notice of the entry of default was mailed to defendants.

2. The Clerk's Certificate of Default (Docket No. 6530) was entered February 11, 2002, with respect to the following defendants: Aquilino Baca, Bertha Baca, Dolores Baca, Pat Blea, Angel B. Collado, Esther J. Collado, Donald Martinez, Perfecto Martinez, Carlos A. Garcia, Lorenzo Martinez. Notice of the entry of default was mailed to defendants.

3. Since the mailing of the notices of default, the above named defendants have contacted plaintiff, and they have either signed a consent order that would adjudicate their water rights by agreement, indicated the intention to sign such an order, or plaintiff has been informed of ownership issues that must be resolved prior to the adjudication of the water rights in these subfiles.

WHEREFORE, the plaintiff State of New Mexico requests the Court to set aside the entry of default of the above named defendants.

Respectfully submitted,


LISA D. BROWN

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Set Aside Entry of Default was mailed to the following persons on July 26, 2002.


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